

REMARKS

This application has been reviewed in light of the non-final Office Action mailed on March 13, 2009. Claims 2-13 are pending in the application with Claims 2 and 10-13 being in independent form. By the present Amendment, the specification and Claims 2-4, 6-8 and 9-13 have been amended. Claim 1 has been cancelled. No new matter is believed to be added to the application by the amendments.

Applicants gratefully acknowledge the allowance of Claims 2, 3 and 9 if rewritten in independent form including all of the limitations of the base claim and any intervening claims. It is respectfully submitted that Claim 2 has been rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, allowance of Claim 2 and its corresponding dependent claims is respectfully requested.

In the Office Action, the specification was objected to. Applicants amended the Abstract as suggested by the Examiner to have double spacing. Accordingly, withdrawal of the objection to the specification is respectfully requested.

Claims 1, 3, 9 and 10-13 were objected to for having informalities. Independent Claims 10-13 and dependent Claims 3 and 9 have been amended herein as suggested by the Examiner to include a preamble and/or to be in an active step format. Accordingly, withdrawal of the claim objections is respectfully requested.

Claims 7 and 8 were objected to because of having informalities. The terms "UMTS, RLC, PDUs" have been spelled out the first time they are used. Accordingly, withdrawal of the claim objections is respectfully requested.

Claims 4-6 were rejected under 35 U.S.C. §112, second paragraph. Claim 4 has been amended to depend from dependent Claim 3 which recites the limitation "the second

retransmission protocol.” Accordingly, withdrawal of the rejection with respect to Claims 4-6 is respectfully requested.

Claim 13 was rejected under 35 U.S.C. §101. It is respectfully submitted that independent Claim 13 has been amended herein to be directed to statutory subject matter. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1 and 10-13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Malkamaki (U.S. Patent No. 7,310,336) in view of Ramanujam (U.S. Patent No. 6,622,277). Claim 1 has been cancelled. Claims 10-13 have been amended to include the recitations of original dependent Claim 2 which the Examiner states recites allowable subject matter. Therefore, Claims 10-13, for at least this reason, are patentable over the cited prior art, taken alone or in any proper combination. Accordingly, withdrawal of the rejection and allowance of independent Claims 10-13 are respectfully requested.

Claims 7 and 8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Malkamaki in view of Ramanujam as applied to Claim 1 above, and further in view of Kim (U.S. Patent Publication No. 20030031119A1).

Dependent Claims 7 and 8 depend from independent Claim 2 and therefore contain the limitations of independent Claim 2. Kim does not address the deficiencies of Malkamaki and Ramanujam with respect to independent Claim 1. Accordingly, for at least these reasons, Claims 7 and 8 are allowable over the prior art of record, taken alone or in any proper combination, and withdrawal of the rejection and allowance of dependent Claims 7 and 8 are respectfully requested.

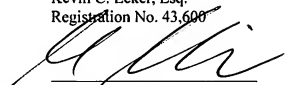
In view of the foregoing remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 2-13, are believed to be in condition for allowance.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call the undersigned.

Respectfully submitted.

Kevin C. Ecker, Esq.
Registration No. 43,600

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By: 
George Likourezos
Reg. No. 40,067
Attorney for Applicant
631-501-5706

Mail all correspondence to:
Kevin C. Ecker, Esq.
Senior IP Counsel
Philips Electronics North America Corp.
P.O. Box 3001
Briarcliff Manor, New York 10510-8001
Phone: (914) 333-9618